In the High Court of Judicature at Madras

Dated:20.02.2006

Coram:

The Hon'ble Mr.Justice P.SATHASIVAM
and
The Hon'ble Mr.Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.156 of 2006

R.Mohana Krishnan .. Petitioner

vs.

1. The Superintendent of Police
   S.P. Office
   Tiruvellore District.

2. The Inspector of Police
   Taluk Police Station
   Tiruvellore District.

3. Yamini

4. Vasuki

5. S.Manickavelu .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of writ of habeas corpus directing the respondents 1 and 2 to interrogate the same with the respondents 3 to 5 to produce Mr.Santhosh Kumar before the Hon'ble Court and set him at liberty.

For petitioner : Mr.R.Karunagaran

For respondents 1 and 2 : Mr.Abudukumar Rajarathinam
Govt. Advocate (Crl.side)

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ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

Pursuant to the direction of this Court, Santhoshkumar, son of the petitioner, appeared before us. According to him, he is aged about 28 years. Though it is alleged by the petitioner in the petition that his son Santhoshkumar was under the illegal

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custody of 5th respondent, the detenu informed us that at present he is working at Hyderabad and he is not under the illegal custody of anyone, including the 5th respondent. He further informed this Court that due to misunderstanding between himself and his wife Heema Bindhu, he is not interested in continuing the marital life with her and is going to approach the concerned Court for necessary relief. We also enquired his wife Heema Bindhu. She expressed that in view of the strained relationship with the detenu, it would be difficult for her to continue the marital life with him.

Taking note of the stand of the detenu Santhoshkumar, who being a major and in the light of his assertion, we are of the view that the detenu is not under the illegal custody of anyone and he is set at liberty. Accordingly, no further direction is required in this petition and the same is closed. The parties are at liberty to approach the appropriate forum to vindicate their grievance if any.

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Superintendent of Police
S.P.Office
Tiruvellore District.

2.The Inspector of Police
Taluk Police Station
Tiruvellore District.

3.The Public Prosecutor
High Court
Madras.

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+ one cc to Mr.R.Karunagaran, Advocate Sr.No.7618.

MAB (CO)
RSM/24.2.2006

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